

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

THERESA HILL,)	
)	
Plaintiff,)	
)	Case No. 09-cv-6370
vs.)	Judge John Robert Blakey
)	
CITY OF CHICAGO, et al.,)	
)	
Defendants.)	

**DEFENDANT ANTHONY BOSWELL’S MOTION
FOR JUDGMENT AS A MATTER OF LAW**

Defendant Anthony Boswell hereby moves this Court pursuant to Federal Rule 50(a) for an Order granting his Motion For Judgment As A Matter Of Law. As set forth in Boswell’s supporting brief, there are no relevant factual disputes that need to be resolved by the jury: the record makes abundantly clear that Boswell is immune from this lawsuit. Moreover, for the same reasons that Plaintiff could not demonstrate a constitutional violation in the context of qualified immunity, she has failed to supply a sufficient evidentiary basis for the jury to rule in her favor on the merits of her First Amendment claims. Finally, even if this case should somehow go to the jury, there is no basis to instruct the jury on punitive damages. Indeed, the record is devoid of a single fact suggesting that Boswell consciously disregarded federal law.

WHEREFORE, Boswell respectfully requests that the Court enter judgment as a matter of law in his favor under Federal Rule 50(a) and dismiss with prejudice Plaintiff’s claims against him.

Dated: July 9, 2015

Respectfully submitted,

Anthony Boswell, Defendant

By: /s/ Daniel A. Kaufman
One of his Attorneys

Daniel A. Kaufman
Brian P. Paul
Sarah E. Flotte
Michael Best & Friedrich LLP
Two Prudential Plaza
180 N. Stetson, Suite 2000
Chicago, Illinois 60601
(312) 222-0800 (telephone)
(312) 222-0818 (facsimile)

CERTIFICATE OF SERVICE

I hereby certify that on July 9, 2015, I electronically filed the foregoing ***Defendant Anthony Boswell's Motion For Judgment As A Matter Of Law***, with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Steven J. Seidman
Sean M. Baker
The Law Offices of Steven J. Seidman
Two First National Plaza
20 S. Clark St., Suite 700
Chicago, IL 60603

Barry A. Spevack
Monico, Pavich & Spevack
Two First National Plaza
20 S. Clark St., Suite 700
Chicago, IL 60603

Joseph M. Gagliardo
Jennifer Naber
Heather R. M. Becker
Lander, Muchin, Dombrow,
Becker, Levin and Tominberg, Ltd.
515 N. State Street, Suite 2800
Chicago, IL 60654

Preston L. Pugh
David Caves
Pugh, Jones, Johnson & Quandt P.C.
180 N. LaSalle Street, Suite 3400
Chicago, IL 60601

Joan Pettee Altman
City of Chicago, Department of Law
30 N. LaSalle St., Suite 900
Chicago, IL 60602

s/ Daniel A. Kaufman

Attorney for Defendant, City of Chicago
Daniel A. Kaufman, ARDC No. 6194714
Michael Best & Friedrich LLP
Two Prudential Plaza
180 North Stetson Avenue, Suite 2000
Chicago, Illinois 60601
Phone: (312) 222-0800
E-mail: dakaufman@michaelbest.com